

REMARKS

This Amendment is in response to the Office Action mailed July 8, 2010. In the Office Action, the Examiner rejected claims 24, 31-33, 37-38, 40, 42, 46, 50, 54-57, 59, 60-61 and 70 under 35 U.S.C. § 102, and rejected claims 34-36, 44-45, 51-53 and 58 under 35 U.S.C. § 103. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Claims 1-61, 69 and 70 have been canceled. Claims 62-68 have been allowed.

Rejection Under 35 U.S.C. § 102

The Examiner rejects claims 24, 31-33, 37-38, 40, 42, 46, 50, 54-57, 59, 60-61 and 70 under 35 U.S.C. § 102(e) as being anticipated by Morris et al. (USPN 6,321,123).

These claims have been cancelled, therefore Applicant respectfully requests that the Examiner withdraw the rejection of claims 24, 31-33, 37-38, 40, 42, 46, 50, 54-57, 59, 60-61 and 70 under 35 U.S.C. § 102(b) as being anticipated by Morris et al. (USPN 6,321,123).

Rejection Under 35 U.S.C. § 103

The Examiner rejected claims 44 and 45 under 35 U.S.C. § 103(a) as being unpatentable over Morris et al. (USPN 6,321,123).

The Examiner rejected claims 34-36, and 58 under 35 U.S.C. § 103(a) as being unpatentable over Morris et al. (USPN '123) in view of Li et al. (USPN 5,879,295).

The Examiner rejected claims 51-53 under 35 U.S.C. § 103(a) as being unpatentable over Morris et al. (USPN '123) in view of Thompson et al. (USPN 6,048,329).

These claims have been cancelled; therefore Applicant respectfully requests that the Examiner withdraw the rejection of these claims.

Allowable Subject Matter

Applicant notes with appreciation the Examiner's indication of allowable subject matter for claims 62-68.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Dated: Sept 4, 2010

Respectfully submitted,

Edwards Lifesciences LLC

By: 

Melinda R. Michalerya, Esq.

Registration No. 59,654

Edwards Lifesciences LLC

Law Department

One Edwards Way

Irvine, California 92614

Telephone: (949) 250-6801

Telefax: (949) 250-6850

Customer No. 30452